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In re Application of :
Elliott et al. :
Serial No.: 09/857,325 : PETITION DECISION
Filed: February 14, 2002 :
Attorney Docket No.: 36697.7 (FKA :
011115) :

This is in response to the petition under 37 CFR § 1.59(b), filed December 13, 2005, to expunge information from the above identified application.

Petitioner requests that the Proprietary Information Disclosure Statement, filed September 7, 2005, be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

While the reasons set forth in this petition regarding expungement of the information might have been appropriate, the point is now moot as the IDS filed September 7, 2005 has recently been considered by the examiner. Therefore, the file entries for these documents will remain open and be publicly available.

Therefore, applicants' petition is DENIED.

Should there be any questions about this decision please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile sent to the general Office facsimile number, 703-872-9306.

Jasemine C. Chambers

Jasemine Chambers
Director, Technology Center 1600

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